

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

IN THE MATTER OF THE JOINT RESOLUTION  
OF THE CITY OF STURGEON LAKE AND  
STURGEON LAKE TOWNSHIP DESIGNATING  
CERTAIN AREAS AS IN NEED OF ORDERLY  
ANNEXATION PURSUANT TO MINNESOTA  
STATUTES §414.0325

**JOINT RESOLUTION FOR  
ORDERLY ANNEXATION**

WHEREAS, property owner Sturgeon Lake Pines, LLC (Art Underhill, Ron Mlaskoch and Ron Kohner,) with property located within Sturgeon Lake Township (hereinafter "Township") and legally described herein (hereinafter "Subject Area") have approached and petitioned City of Sturgeon Lake (hereinafter "City") requesting annexation to the City and extension of municipal services; and

WHEREAS, the above-mentioned property owner seeks to develop its property for urban or suburban commercial purposes needing municipal services available from City; and

WHEREAS, Subject Area is in close proximity to City and no part thereof is located in an incorporated area; and

WHEREAS, Township and City have agreed to work cooperatively to accomplish the orderly annexation of the area legally described herein; and

WHEREAS, City has available capacity to provide services to the above-mentioned property following annexation; and

WHEREAS, City and Township agree that the property legally described herein is urban or suburban or about to become so and that orderly annexation of the described property would be in the best interest of the property owner and would benefit the public health, safety and welfare of the community; and

WHEREAS, City and Township agree that Subject Area legally described herein is designated as in need of orderly annexation; and

WHEREAS, City and Township desire to accomplish the orderly annexation of Subject Area legally described herein without the need for a state hearing.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of Supervisors of Township and the City Council of City, as follows:

1. **Designation of Orderly Annexation Area – City of Sturgeon Lake and Sturgeon Lake Township.** Township and City hereby designate Subject Area legally described in Exhibit A attached hereto and incorporated herein by reference, for immediate orderly annexation pursuant to Minnesota Statutes §414.0325.

2. **Acreage.** Township and City agree that the above-mentioned Subject Area legally described in Exhibit A and designated as in need of immediate orderly annexation is approximately 83 acres.

3. **Population.** Township and City agree that the population of Subject Area legally described in Exhibit A and designated as in need of immediate orderly annexation is 0.

4. **Map of Area.** A boundary map showing Subject Area legally described in Exhibit A is attached hereto as Exhibit B and is incorporated herein by reference.

5. **No Hearing Required.** Pursuant to Minnesota Statutes §414.0325, Township and City agree that no alteration of the boundaries stated herein is appropriate, that all conditions for annexation of Subject Area legally described in Exhibit A are contained in this Joint Resolution, and that no consideration by the Office of Administrative Hearings is necessary. Upon the execution and filing of this Joint Resolution, the Office of Administrative Hearings may review and comment thereon, but shall, within thirty (30) days of receipt of this Joint Resolution, order the annexation of Subject Area legally described in Exhibit A in accordance with the terms and conditions contained in this Joint Resolution.

6. **Tax Reimbursement.** City and Township agree that upon annexation of Subject Area legally described in Exhibit A, City shall reimburse Township for the loss of taxes from the property so annexed for the period and in accordance with the following schedule: (a) in the first year following the year City could first levy on the annexed area, an amount equal to ninety percent (90%) of the property taxes distributed to Township in regard to the annexed area in the last year that property taxes from the annexed area were payable to Township; (b) in the second year, an amount equal to seventy percent (70%); (c) in the third year, an amount equal to fifty percent (50%); (d) in the fourth year, an amount equal to thirty percent (30%); and (e) in the fifth and final year, an amount equal to ten percent (10%). Thereafter, City will no longer reimburse Township.

7. **Filing.** Township and City agree that upon adoption and execution of this Joint Resolution, City shall file the same with the Office of Administrative Hearings Municipal Boundary Adjustments Office and pay the required filing fees.

8. **Governing Law.** Township and City agree that this Joint Resolution is made pursuant to, and shall be construed in accordance with the laws of the State of Minnesota.

9. **Headings and Captions.** Township and City agree that the headings and captions contained in this Joint Resolution are for convenience only and are not intended to alter any of the provisions of this Joint Resolution.

10. **Entire Agreement.** With respect to Subject Area legally described in the attached Exhibit A the terms, covenants, conditions and provisions of this Joint Resolution shall constitute the entire agreement between the parties hereto superseding all prior agreements and negotiations between the parties.

11. **Legal Description and Mapping.** Township and City agree that in the event there are errors, omissions or any other problems with the legal description provided in Exhibit A, in the judgment of the Office of Administrative Hearings, City and Township agree to make such corrections and file any additional documentation, including a new Exhibit A making the corrections requested or required by the Office of Administrative Hearings as necessary to make effective the annexation of said Subject Area in accordance with the terms of this Joint Resolution.

Passed, adopted and approved by the Town Board of Supervisors of Sturgeon Lake Township, Pine County, Minnesota this 5 day of November 2009.

STURGEON LAKE TOWNSHIP

By Roy Gulman  
Chairperson

ATTEST:

Madeline Kuhlman  
Town Clerk

Passed, adopted and approved by the City Council of the City of Sturgeon Lake, Pine County, Minnesota this 15 day of December, 2009.

CITY OF STURGEON LAKE

By Thomas E. Helfman  
Mayor

ATTEST:  
Elizabeth A. Cisar  
City Clerk

**New Legal Description of Annexation Area 83 Acres, more or less,**

The East 300.00 feet of Government Lot 2, Section 23, Township 45, Range 20, Pine County, Minnesota.

AND ALSO

The East 300.00 feet of Government Lot 3 and the East 300.00 feet of Government Lot 5, Section 23, Township 45, Range 20, Pine County, Minnesota, except the North 66.00 feet of said East 300.00 feet of Government Lot 5.

AND ALSO

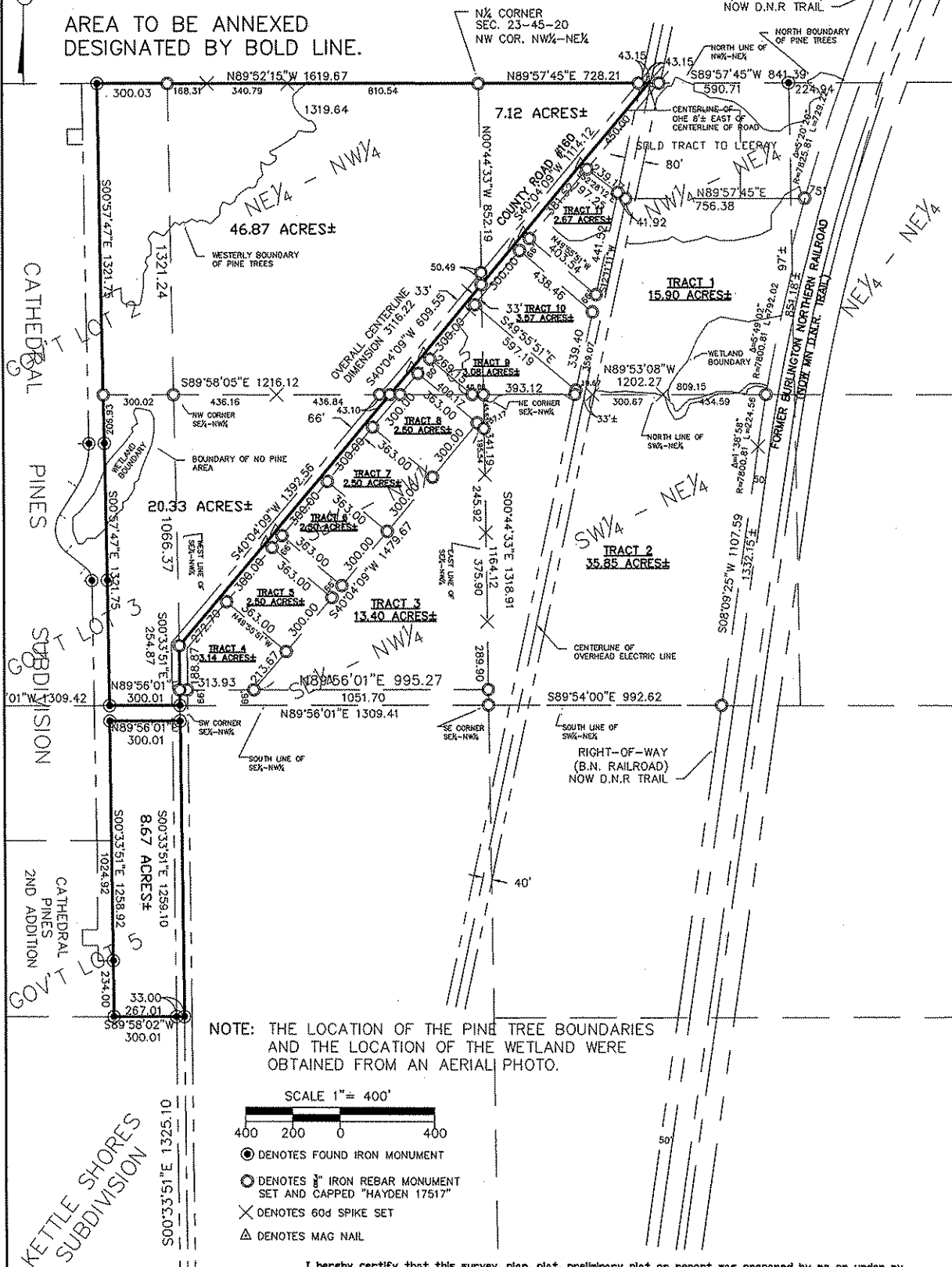
Those parts of the Northwest Quarter of the Northeast Quarter, the Northeast Quarter of the Northwest Quarter and the Southeast Quarter of the Northwest Quarter, Section 23, Township 45, Range 20, Pine County, Minnesota, lying northerly and westerly of the centerline of County Road No. 160 and described as follows:

Beginning at the northwest corner of said Northwest Quarter of the Northeast Quarter; thence on an assumed bearing of North 89 degrees 57 minutes 45 seconds East, along the north line of said Northwest Quarter of the Northeast Quarter, a distance of 728.21 feet to a point on the centerline of County Road No. 160; thence South 40 degrees 04 minutes 09 seconds West, along last said centerline, a distance of 3116.22 feet, more or less, to the west line of said Southeast Quarter of the Northwest Quarter; thence northerly, along last described west line, a distance of 1066.37 feet, more or less, to the northwest corner of said Southeast Quarter of the Northwest Quarter; thence northerly, along the west line of said Northeast Quarter of the Northwest Quarter, a distance of 1321.24 feet, more or less, to the northwest corner of said Northeast Quarter of the Northeast Quarter; thence easterly, along the north line of said Northeast Quarter of the Northwest Quarter, a distance of 1319.64 feet, more or less, to the point of beginning.

SURVEY OF: 11 NEW TRACTS IN SECTION 23,  
TOWNSHIP 45, RANGE 20,  
PINE COUNTY, MINNESOTA.

Telephone: (218)-485-4811  
Fax: (218)-485-4811

AREA TO BE ANNEXED  
DESIGNATED BY BOLD LINE.



I hereby certify that this survey, plan, plat, preliminary plat or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

17517      4-14-09      2009-017      PINE CO."O"p.11  
License No.      Date      Job No.      Book No.  
REVISED 02-05-2010

REC'D BY MAR 18 2010